

Message Text

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AMEMBASSY BONN

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONGEN FRANKFURT

AMCONSUL HAMBURG

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY PARIS

AMCONSUL STUTTGART

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 584

E.O. 11652: GDS

TAGS: PINS, PINT, WB

SUBJECT: WHAT IS WRONG WITH THE WEST BERLIN POLICE?

REF: USBERLIN 485

1. SUMMARY: WEST BERLIN POLICE HAVE COME UNDER SEVERE AND INCREASING CRITICISM FOR LACK OF SUCCESS IN SOLVING DRENKMANN AND LORENZ CASES. PUBLIC CONFIDENCE, ALREADY WEAKENED BY EXPLOITATION OF SECURITY ISSUE BY POLITICAL PARTIES IN RECENT ELECTION, HAS BEEN SERIOUSLY SHAKEN BY INABILITY OF SECURITY AGENCIES EITHER TO PROTECT INDIVIDUAL CITIZENS OR TO CAPTURE ANARCHIST CRIMINALS. IN WAKE OF SPD LOSSES IN MARCH 2 LOCAL ELECTION, AND AS RESULT OF COALITION NEGOTIATIONS WITH LEFT-LEANING FDP, POLITICAL
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LEADERS RESPONSIBLE FOR SECURITY MAY BECOME SCAPEGOATS.

IN MISSION VIEW, POLICE FACE DIFFICULT PROBLEM WHICH THEY HAVE NOT HANDLED VERY WELL BUT WHICH HAS NOT BEEN TREATED MUCH BETTER IN OTHER WESTERN COUNTRIES. ALLIES MUST KEEP SITUATION UNDER REVIEW IN CONSIDERATION OF THEIR SECURITY RESPONSIBILITIES BUT, WHILE LENDING WHATEVER MORAL AND MATERIAL SUPORT THEY CAN, THEY SEEM BEST ADVISED TO AVOID ADDING TO PROBLEMS BY NON-CONSTRUCTIVE CRITICISM. END SUMMARY.

2. DESPITE MASSIVE EFFORT INCLUDING UNPRECEDENTED NUMBER OF HOUSE SEARCHES AND ROADBLOCKS, POLICE HAVE MADE LITTLE PROGRESS IN EITHER DRENKMANN OR LORENZ CASES. THEY HAVE BECOME BUTT OF JOKES AND OBJECT OF MOUNTING CRITICISM FROM ALL DIRECTIONS INCLUDING NEWSPAPERS, TELEVISION, RIGHT WING CONSERVATIVES, RADICAL DEFENSE LAWYERS AND FRG POLICE-MEN, BUT ESPECIALLY FROM SPRINGER PRESS AND TV COMMENTATORS. EVEN SPD LEADERSHIP HAS EXPRESSED DOUBTS IN PRIVATE REGARDING QUALITY OF POLICE LEADERSHIP. POLICE PRESIDENT HUEBNER IS CHIEF TARGET BUT MANY OTHER LEADERS, INCLUDING MAYOR (AND INTERIOR SENATOR) NEUBAUER, ARE RECEIVING THEIR LUMPS.

3. ALLEGED OVERRACTION AND UNNECESSARY BRUTALITY DURING EARLY MORNING SEARCHES FOLLOWING LORENZ'S RELEASE MARCH 4 WERE BASIS OF FIRST WAVE OF CRITICISM, WHICH INCLUDED STORIES ABOUT POLICE THROWING TEAR GAS INTO TEENAGER'S COMMUNE AND PHOTO OF POLICEMEN PUSHING BOY INTO POLICE VAN WHILE CLUTCHING HIS LONG HAIR. POLICE PRESIDENT HUEBNER ATTEMPTED TO ANSWER CRITICS BY APPOINTING INVESTIGATIVE COMMISSION COMPOSED ENTIRELY OF POLICE OFFICIALS, INCLUDING TWO LAWYERS AND A UNION REPRESENTATIVE. COMMISSION REPORT ATTEMPTED TO IDENTIFY AND ANSWER COMPLAINTS POINT BY POINT AND, IF TAKEN AT FACE VALUE, WOULD EXONERATE POLICE OF MOST CHARGES. HOWEVER, COMPOSITION OF COMMISSION TENDED TO WEAKEN CREDIBILITY OF REPORT AND HAS CERTAINLY NOT SATISFIED SKEPTICS.

4. IN CONVERSATION WITH PUBLIC SAFETY ADVISER, POLICE COMMANDER IN AMERICAN SECTOR (SCHIEMANN) DEFENDED POLICE ACTIONS WHILE ADMITTING PROBABILITY OF INDIVIDUALS EXCESSES. HE SAID LONG PERIOD OF INACTION IMPOSED ON POLICE BY CONFIDENTIAL

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POLITICIANS DURING PERIOD LORENZ HELD CAPTIVE HAD PRODUCED ALMOST UNBEARABLE SENSE OF FRUSTRATION, AND ORDINARY POLICEMEN WERE AT EMOTIONAL BREAKING POINT WHEN THEY WERE NOTIFIED LORENZ HAD BEEN FOUND AND SEARCHES COULD COMMENCE. IMPATIENCE WITH YOUNG RADICALS AND UNNECESSARY ROUGHNESS IN SEARCHES UNDOUBTEDLY DUE IN PART TO THIS FRUSTRATION. SCHIEMANN ALSO JUSTIFIED USE OF TEAR GAS AS SUPERIOR ALTERNATIVE TO PISTOL. HE SAID POLICE OFFICER, FACED WITH

DARK ROOM FULL OF ANGRY AND CURDELY ARMED ADVERSARIES, COULD NOT GET THEM TO VACATE ROOM AND HAD PLACED, NOT THROWN, TWO GAS CANISTERS INSIDE ROOM RATHER THAN DRAW PISTOL. SCHIEMANN ADDED THAT RECORDS WERE BEING KEPT FOR POSSIBLE DISCIPLINARY ACTION AGAINST A FEW POLICEMEN, BUT POLICE WANTED TO WAIT UNTIL SITUATION CLAMER SO AS NOT TO AFFECT ADVERSELY MORALE OF ENTIRE POLICE FORCE. ON MARCH 20 NEUBAUER GAVE POLICE PEP TALK IN AWARENESS OF CURRENT LOW MORALE.

5. AS INVESTIGATIONS DRAG ON, COMPLAINTS NOW ARE FOCUSING MORE ON POLICE ORGANIZATION, LACK OF DECISIVE LEADERSHIP, AND PAUCITY OF RESULTS. WHILE POLICE HAVE TRIED TO WITHHOLD INFORMATION OR CONFIRMATION OF EVIDENCE IN ORDER NOT TO LET KIDNAPPERS KNOW HOW MUCH THEY KNOW, LACK OF SUCCESS IN IDENTIFYING KIDNAPPERS OR IN LOCATING HOUSE WHERE LORENZ WAS HELD HAS MADE POLITICAL LEADERSHIP IMPATIENT, WITH RESULT POLICE HAVE BEEN ORDERED SPORADICALLY TO RELEASE INFORMATION. DESPITE SOME SMALL SIGNS OF PROGRESS, SUCH AS IDENTIFICATION OF TRUCK WHICH DUMPED CONTENTS OF LORENZ CELL NEXT TO ROW OF GARBAGE CANS IN KREUZBERG, KIDNAPPERS' CONTINUED FREEDOM ADDS TO GROWING PUBLIC IMPRESSION OF KEYSTONE COPS AT WORK. THERE IS TENDENCY TO OVERLOOK FACT THAT IN REALITY POLITICIANS HAVE BEEN MAKING NEARLY ALL IMPORTANT DECISIONS WITH ORDERS PASSED TO POLICE FIRST BY GOVMAYOR'S CRISIS GROUP AND LATER BY SENAT POLITICAL LEADERSHIP.

6. WHAT IS REALLY WITH POLICE? BERLIN POLICE ARE IN MOST RESPECTS TYPICAL OF WEST GERMAN POLICE. THEY ARE ACTUELY AWARE OF BOTH POSITIVE AND NEGATIVE ASPECTS OF THIRR HISTORY. THEY DEPEND HEAVILY ON TRADITIONAL METHODS, ORGANIZATION AND RECRUITMENT HAVING CHANGED

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LITTLE SINCE KAISER'S TIME. HISTROY OF NAZI CONTROL HAS LED PARADOXICALLY TO ACTIVE INTERVENTION IN POLICE AFFAIRS BY TODAY'S "DEMOCRATIC POLITICIANS." AMBITIOUS BERLIN POLICEMAN RECOGNIZES THAT GOOD POLITICAL CONNECTIONS, ESPECIALLY TO SPD, ARE ONE ROAD TO PROMOTION. FEARFUL OF CRITICISM FROM HIGHLY PLACED INDIVIDUALS OR ORGANIZATIONS, ESPECIALLY IF CRITICISM TOUCHES ON BRUTALITY, SUCH AS USED BY NAZI POLICE, POLICE TEND TOWAARD INFLEXIBILITY AND CAUTION. IN PRUSSIAN TRADTION THEY ARE WELL TRAINED AND EFFECTIVELY CARRY OUT ASSIGNMENTS FOR WHICH THEY HAVE BEEN TRAINED. ON OTHER HAND, TACTICS IN WHICH THEY ARE NOT TRAINED AND PROBLEMS WITH WHICH THEY ARE NOT FAMILIAR SEEM BEYOND THEIR GRASP, I.E., IMAGINATION IS NOT THEIR STRONG SUIT. POOR COMMUNICATIONS AND INACCURATE OR INCOMPLETE INFORMATION HAVE BEEN EDEMIC PROBLEMS IN A

POLICE FORCE WHOSE MAJOR COMPONENT SERVICES, SUCH AS DETECTIVES AND UNIFORMED POLICE, HAVE HAD NO COMMON LEADER BELOW POLICE PRESIDENT, A POLITICAL APPOINTEE, AND HAVE NOT NORMALLY EVEN TALKED TO ONE ANOTHER OR EXCHANGED INFORMATION FROM SEPARATELY MAINTAINED FILES ONE SAME INDIVIDUALS. UNTIL JANUARY EACH SERVICE HAD ONLY SINGLE DUTY OFFICER OUTSIDE OFFICE HOURS, WHO WAS NOT IN DIRECT CONTACT WITH OTHER SERVICE DUTY OFFICERS AND COULD MAKE ONLY MOST OBVIOUS OR SUPERFICIAL DECISIONS. ADDITIONAL PROBLEM IS LACK OF EFFECTIVE FEDERAL INVESTIGATIVE OR COORDINATING AGENCY.

7. POLICE RECOGNIZED SOME OF THESE PROBLEMS YEARS AGO AND BEGUN PLANNING BASIC REORGANIZATION ALONG LINES OF PLAN ADOPTED EARLIER IN HAMBURG AND NOW ACCEPTED IN PRINCIPLE FOR ALL FRG POLICE. FIRST MAJOR STEPS WERE TAKEN OCTOBER 1, 1974 BUT PROCESS CALLING FOR CONSIDERABLE NEW CONSTRUCTION IS EXPECTED TO TAKE AT 4 YEARS. RECENT TERRORIST ACTS CAUGHT POLICE WITH NEW LEADERS HANDLING NEWLY CONSTITUTED UNITS WITHOUT CONTINGENCY PLANS AND LACKING EVEN UP-TO-DATE OFFICE TELEPHONE DIRECTORIES. DRENKMANN AND LORENZ CASES WERE REGARDED IN PART AS TEST OF NEW ORGANIZATION AND LEFT BOTH POLITICAL AND PROFESSIONAL POLICE LEADERSHIP VULNERABLE TO CHARGE THAT REORGANIZATION, WHICH MISSION BELIEVES WAS OVERSOLD IN SOME RESPECTS, WAS MISTAKE. GEORGE
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INFO AMEMBASSY BERLIN UNN
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AMCONGEN FRANKFURT
AMCONSUL HAMBURG
AMEMBASSY LONDON
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8. QUALITY OF POLICE LEADERSHIP MAY BE QUESTIONED BUT THIS IS AREA WHERE ALLIES, WHO HAVE CONSENTED TO ALL SENIOR POLICE APPOINTMENTS, MUST TREAD CAREFULLY. DURING PERIOD IMMEDIATELY FOLLOWING WORLD WAR II, GERMAN POLICE WERE UNABLE TO RECRUIT ADEQUATE NUMBERS OF PROFESSIONALLY QUALIFIED PERSONNEL WHO COULD ALSO PASS POLITICAL BACKGROUND INVESTIGATION. THIS PRODUCED GENERATION OF SENIOR POLICE OFFICIALS, INCLUDING MAY TRANSFERS FROM OTHER AGENCIES, OF UNEVEN COMPETENCE. PRIOR TO PRESENT CRISIS, CRIMINAL POLICE (KRIPD) LEADERSHIP IN PARTICULAR HAD BEEN SEVERELY CRITICIZED BY MANY, INCLUDING POLICE PRESIDENT, NEW POLICE CHIEF, AND ALLIED OFFICIALS WHO WORKED MOST CLOSELY WITH THEM. CIVIL-SERVICE REGULATIONS PRECLUDE FIRING, SO IN REORGANIZATION SEVERAL INCOMPETENTS WERE MOVED UP TO POSITIONS WITH LITTLE COMMAND RESPONSIBILITY. CONFIDENTIAL

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THEY HAVE NOW PROVEN TO BE LAYERS OF DEADWOOD BETWEEN VITAL COMMAND AND OPERATIONAL COMPONENTS. ON BALANCE, HOWEVER, NEW WORKING-LEVEL LEADERSHIP IS SIGNIFICANT IMPROVEMENT IN OUR JUDGMENT AND IS CARRYING DISPROPORTIONATE SHARE OF PRESENT BURDEN, INCLUDING PRESSURE OF CRITICISM.

9. IN MISSION'S VIEW POLICE ARE NOW FACED WITH SEVERE PROBLEM THEY ARE ILL-EQUIPPED TO HANDLE. IF THEY ARE TO SUCCEED, THEY MUST EVOLVE NEW ORGANIZATIONS AND METHODS DESIGNED TO COMBAT EXTREMELY CLEVER URBAN TERRORIST TACTICS. THEY WILL NEED SKILLFUL POLITICAL AND PROFESSIONAL LEADERSHIP TO MANAGE THIS WITHOUT AT SAME TIME DENING SELVES TO CHARGE THEY ARE RECREATING POLICE STATE. PRESENT CRITICISM IS ONLY PARTIALLY VALID, HOWEVER, AND IS IN SOME RESPECTS UNFAIR; ONE BAVARIAN POLICEMAN ON TEMPORARY DUTY IN BERLIN WAS FREE WITH CRITICISM OF BERLIN POLICE BUT HE WOULD BE

HARD PUT TO FIND AREA IN WHICH MUNICH POLICE HAD DONE BETTER. BRITISH HAVE NOT YET SUCCEEDED WITH IRA, MOST OTHER EUROPEAN GOVERNMENTS HAVE SIMILAR PROBLEMS, AND WE ARE OFTEN REMINDED THAT FBI HAS NOT YET FOUND PATTY HEARST. SOME LOCAL OBSERVERS ALSO RECALL THAT SEVERAL THOUSAND JEWS SURVIVED NAZI PERIOD IN BERLIN UNDERGROUND DESPITE GESTAPO ROUNDUPS. FACT IS THAT BAADER-MEINHOF AND OTHER ANARCHIST GROUPS ARE MADE UP OF TIGHTLY KNIT GROUPS OF INTELLIGENT, MIDDLE-CLASS, ALBEIT YOUTHFUL CONSPIRATORS, WHO ARE INDISTINGUISHABLE IN APPEARANCE FROM OTHER YOUNG GERMANS, AND WHO HAVE BECOME ADEPT AT USE OF DISGUISES. BECAUSE THEIR PRIMARY MOTIVATION IS NOT FINANCIAL, THEY DO NOT PROVIDE KIND OF LEADS POLICE GET ELSEWHERE THROUGH RANSOM ARRANGEMENTS(ALTHOUGH SOME HAVE BEEN CAUGHT IN BANK ROBBERIES WHERE PURPOSE WAS TO REPLENISH GROUP TREASURY). WHILE BERLIN POLICE HAVE NEVER BEEN PARTICULARLY ADEPT AT PENETRATING SUBVERSIVE GROUPS, GERMAN ANARCHISTS SEEM ESPECIALLY EFFECTIVE AT PREVENTING INFILTRATION AND DO NOT HESITATE TO TAKE VENGEANCE ON OCCASIONAL INFORMERS.

10. ALLIES BEAR A SPECIAL RESPONSIBILITY FOR MATTERS AFFECTING SECURITY OF BERLIN AND, BY REASON OF THEIR RESERVED RIGHTS, EXERCISE DIRECT CONTROL OVER THE POLICE. THEY WILL THEREFORE INEVITABLY PLAY A ROLE IN CRISES OF CONFIDENTIAL

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THIS KIND. WHAT CAN WE DO TO HELP? DIRECT INTERVENTION IS NO LONGER A POSSIBILITY, AS IT WAS IN IMMEDIATE POSTWAR YEARS. WE ARE NOT IN POSITION EITHER POLITICALLY OR TECHNICALLY TO REQUIRE MAJOR CHANGES IN POLICE STRUCTURE OR PERSONNEL. ASIDE FROM CONTINUING TO PROVIDE POLITICAL AND OCCASIONAL MATERIAL SUPPORT TO THE POLICE, SUCH AS USE OF HELICOPTERS, OUR OPTIONS ARE FEW. IN BERLIN POLICE REORGANIZATION HAS PASSED POINT OF NO RETURN. WE SHOULD THEREFORE ENCOURAGE SENAT AND POLIICAL PARTIES FULLY TO IMPLEMENT STILL INCOMPLETE REFORM AND GIVE NEW UNITS AND COMMAND STRUCTURE TIME TO PROVE THEMSELVES. ON NATIONAL LEVEL MISSION BELIEVES THAT US MIGHT ENCOURAGE GERMAN INITIATIVE TO DEVELOP WITH APPROPRIATE SAFEGUARDS NATION POLICE ORGANIZATION ALONG LINES OF FBI, COMPETENT TO TACKLE NATION-WIDE MAJOR PROBLEMS SUCH AS TERRORISM, NARCOTICS AND ORGANIZED CRIME, WITHOUT INTERFERING IN TRADITIONAL LAENDER POLICE RESPONSIBILITIES. WE CAN HELP BUILD CLOSER TIES BETWEEN GERMAN AND AMERICAN POLICE AGENCIES BY SELECTING KEY POLICEMEN FOR EXCHANGE PROGRAMS AND US-SPONSORED TRAINING COURSES, THEREBY INFLUENCING LONG-TERM GOALS, PRIORITITES AND METHODS. START HAS BEEN MADE IN THIS DIRECTION WITH TRAINING PROMISING BERLIN DETECTIVE AT FBI ACADEMY IN 1974 AND BY DEA-SPONSORED COURSES FOR

NARCOTICS POLICMENT IN GERMANY. MISSION HAS ALSO NOMINATED
BERLIN POLICE CHIEF BOERNER FOR IVP GRANT IN FY 76, WITH
CHIEF OF UNIT HANDLING LORENZ CASE AS ALTERNATE. SUCH
MARGINAL ASSISTS ASIDE, WE BELIEVE ALLIES MUST REMAIN
FLEXIBLE IN EXERCISING THEIR RESIDUAL OCCUPATION
AUTHORITY IN BERLIN SO AS NOT TO OBSTRUCT WORK OF LOCAL
SECURITY AGENCIES. GEORGE

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